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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Sixth periodic report of States Parties

Norway*

* The present document is being issued without formal editing. For the initial report submitted by the Government of Norway, see CEDAW/C/5/Add.7, which was considered by the Committee at its third session. For the second periodic report submitted by the Government of Norway, see CEDAW/C/13/Add.15, which was considered by the Committee at its tenth session. For the third periodic report submitted by the Government of Norway, see CEDAW/C/NOR/3, which was considered by the Committee at its fourteenth session. For the fourth periodic report submitted by the Government of Norway, see CEDAW/C/NOR/4, considered by the Committee at its fourteenth session. For the fifth periodic report submitted by the Government of Norway, see CEDAW/C/NOR/5.

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Sixth periodic report of Norway on the United Nations Convention on the Elimination of All Forms of Discrimination against Women

1998-2001

Norwegian Ministry of Children and Family Affairs

Introduction

This is Norway's sixth periodic report to the UN on the implementation in Norway of the UN Convention on the Elimination of All Forms of Discrimination against Women. The report covers the period 1998-2001, and was completed in May 2002.

In line with the guidelines for periodic reports, we have sought to make the report as short as possible, using references to previous reports and emphasising changes that have occurred during the period covered by the report. According to the current plans, Norway is to be examined by the committee on the fifth report, for 1994-97, submitted to the committee in 1998 and the sixth report together. We have therefore made sure not to repeat information from the fifth report. The fifth report follows up CEDAW's comments on Norway's third and fourth reports, which were dealt with together by the committee in January 1995.

In the present report we have tried to follow the articles of the Convention very carefully in order to facilitate the committee's work. We begin with a short outline of the factual situation as regards gender equality in the area mentioned in the article and go on to describe legislative amendments and other changes that have been made or are being discussed to improve the situation.

In autumn 2001 the Ministry of Children and Family Affairs asked all the other ministries for contributions to the report in their fields. In addition, about 30 women's NGOs and other groups that work with women's and gender issues were asked for their views. The ministry on the basis of the material it had received then prepared the first draft of the report. The draft was presented at a public consultation meeting to which the above-mentioned NGOs and groups had been invited. This provided us with valuable input that was incorporated into the final report.

CEDAW's guidelines ask specifically that countries report on how the Beijing Platform of Action is followed up. Reference is made to Norway's fifth report, points 6-11. Norway has now delivered two reports to the UN on the follow-up to Beijing; the most recent of which was in 2000. The platform of action resulted in a statement to the Storting by the Government on gender equality policy in spring 1999, which was then debated. Regular debates in the Storting on gender equality policy help to further the work on gender equality. Furthermore, annual seminars are held together with the NGOs on one or more of the topics that were taken up at the Beijing or Beijing + 5 conferences. The purpose is to encourage new ideas and stimulate a dialogue between the organisations and those who shape official policies at an early stage in the process. Reference is also made to the present report under Article 2d.

PART I Legislation, Structure of Gender Equality, and Basic Rights

Article 2

With reference to this article an account is given of Norwegian gender equality legislation (2b). The activities of the official bodies dealing with gender equality are also described (2c and 2d), together with other activities designed to prevent gender discrimination and to promote genuine equality.

Article 2a. Gender Equality in Legislation

There are no changes. See Point 12 in Norway's Fifth Report.

Article 2b. The Gender Equality Act

The Act amending the Gender Equality Act was passed by the Norwegian parliament (the Storting) on April 29, 2002. The Act will be given royal assent before the summer. Most of the changes are expected to take effect immediately upon royal assent, but certain provisions will not enter into force until the end of the year. This applies to changes that affect private- and public-sector businesses, such as section 1a, third to fifth paragraphs, and amendments to the Local Government Act and the Accounting Act respectively, all of which concern the duty to include a statement on gender equality status, measures, etc. in their annual reports, etc.

The Scope of this Responsibility

The Gender Equality Act previously required that public authorities should promote gender equality in all sectors of society. The duty is both sharpened and extended with the Act passed on April 29, 2002, and it now also applies to the private sector. Employers and employees and their organisations are instructed to promote gender equality within their activities and their areas of responsibility.

The duty to work for gender equality implies a demand on public authorities; employers and organisations not simply to avoid discrimination but to actively implement concrete steps to promote gender equality. Activities in this regard should be both planned and focused.

The changes in the Gender Equality Act are a further advancement of the principles of the United Nations Convention on Women, with regard to the duty of its participants actively to promote gender equality and to eliminate every form of discrimination between women and men.

Taking Account of Gender Equality in Annual Reports

According to the proposed amendment public- and private sector businesses are required to submit an annual report giving account of the gender equality situation within their organisation. The requirement covers all enterprises, public and private, that are required by law to submit annual reports. Public enterprises that are not required to submit annual reports shall give an account of gender equality in their annual budgets. The duty to render account is set out the new §1a of the Gender Equality Act, the Norwegian Accounting Act and in the Local Government Act. According to proposed § 1a the report must include a description of the

actual situation regarding gender equality, as well as prospective plans or initiatives aimed at gender equality in the enterprise.

Rendering account of the gender equality situation increases attention paid to gender equality and gender perspectives in the enterprises. Through such accountability, the enterprises will have to pay serious attention to, and reflect on, these issues. An enhanced evaluation of organisational and personnel policies from a gender perspective, will clarify potential need for concrete initiatives both to prevent discriminatory relations and to promote gender equality. Furthermore, the duty to report is closely linked to the duty to actively promote gender equality. By requiring a report a more precise measurement is given on how far the enterprises fulfil the duty to promote gender equality.

The duty to give an account of the state of gender equality in annual reports and budgets may also be deduced from the general duty to take action, as laid down in §1a, paragraph one. In establishing by law a specific provision that enterprises have the duty to report on their gender equality situation, the legislators have taken a further step toward concretising initiatives that may contribute to increased gender equality in real life.

Equal Pay

According to §5 of the Gender Equality Act, women and men have the right to equal pay for work of equal value. The proposed amendment of the equal pay provision means that access to comparable pay across professional or vocational boundaries, or wage agreements clearly comes to the fore in the Act. This is a codification of existing practice. The amendment also includes central features salient to the determination of which types of work are of equal value. These features will provide a foundation for the use of work evaluation as a tool for equal pay. This is in line with the CEDAW Committee's recommendation that central governments develop and implement work evaluation for the purpose of facilitating a comparison between female- and male-dominated professions.

With the changes in the Gender Equality Act as its starting point, the Ministry has incited a pilot project on work evaluation.

By clarifying the contents of the concept "equal pay for work of equal value", the legislators seek to contribute to levelling out the wage differences that still exist between women and men. In conjunction with the regulations on the burden of proof, as well as the proposal to institute objective determination of liability, these changes mean a sharpening of the prohibition against gender based wage differences.

The Norwegian Gender Equality Act sets limits to how comparisons are made concerning wages for equal work. The comparison of equal pay is limited to comparisons of pay of those working for the same employer or enterprise. The UN Women's Convention article on equal pay does not in the same way limit the comparison of equal work. The limits set up in the Gender Equality Act does not, however, necessarily abridge the right to equal pay even when it concerns employees involved in different enterprises. The general clause in §3, which include a general prohibition against discrimination on the basis of gender, fulfils the special regulation in §5 and may take precedence. The limitation of the provision in §5 of "employed by the same employer" will therefore scarcely present any practical problems or consequences in relation to the prohibition against discrimination in practice.

Increased Protection during Pregnancy and Leave-of-Absence for Childbirth.
The Gender Equality Act now provides increased protection against different treatment in relation to pregnancy and childbirth and leave-of-absence in this regard. The Act include an absolute prohibition against actions that place a woman or a man in a weaker position than the person concerned would have experienced due to the exercise of leave-of-absence entitlements.

This provision can also contribute to strengthening men's position in relation to employers who have little understanding of a father's wish to make use of his legal right to leave-of-absence (the quota for fathers being four weeks with an addition of two weeks' leave at the time of birth). Employers' lack of understanding is highlighted as a problem when men wish to use their leave. Men's need for protection in these situations shall be the same as those provided for women. By reinforcing men's rights to leave-of-absence during childbirth, the Gender Equality Act goes further than the Women's Convention. In these situations, stronger protection for men will promote gender equality as a more even distribution of responsibility for childcare can contribute to the reinforcement of the position of women in the workforce.

The sharpening of the prohibition against discrimination based on pregnancy brings the Gender Equality Act more in line with Norway's international obligations, among which is the UN Women's Convention. Cases of pregnancy discrimination will no longer be submitted to an assessment of whether the different treatment is an unreasonable disadvantage for one sex compared to the other.

Affirmative action and education
The rules regarding access to affirmative action in relation to admission to work related education are, with the amendments made, commensurate with the regulations at large. Although the law, in the area of education, previously only gave access to a moderate quota system, it can now employ a radical quota system.

Among other things, the change is based on the desire to combat gender segregation in the labour market, which must be seen in connection with the wage differences between men and women.

The change is in line with the Women's Convention, wherein access to a radical quota system is available when the purpose is to further real gender equality.

Sexual Harassment
Sexual harassment has widespread negative consequences for the individual as well as for the entire working- or educational environment in which the harassment is taking place. The government aims at combating this problem. A new provision on sexual harassment has therefore been added to the Gender Equality Act. The provision contains a general prohibition against sexual harassment stating that sexual harassment constitutes discrimination on the basis of gender. The prohibition shall pertain to all areas of society and shall be enforced by the courts.

In addition to a general prohibition against sexual harassment, employers, organisations and educational institutions are charged with a responsibility to prevent and bring to an end sexual harassment. The standard of evaluation set by this protection rule shall be based on whether or not the responsible party has done enough to prevent sexual harassment from taking place within his/her area of responsibility. The standard of evaluation is not on whether or not sexual harassment has occurred in a particular case. This protection rule is to be enforced by the

Gender Equality Ombudsman and the Gender Equality Board of Appeals. The provision will supplement existing regulations in the Act relating to workers protection and working environment.

Shared Burden of Proof

On the part of the employer, the law now demands shared burden of proof in all cases involving different treatment on the basis of gender. This provision will now have a slightly broader scope than the Gender Equality Act previously engendered. In addition, there is some reduction to the requirements that plaintiff show probable cause. The change in the burden of proof regulation is primarily a codification of current practice, but is also necessary for the implementation of the EU burden of proof directive, adopted by Parliament (Stortinget) in 1999.

A provision on shared burden of proof will make it easier to bring a claim about discrimination between men and women before the legal system.

Objective Liability for Damages

Pursuant to the changes in the Act, objective liability for damages has been introduced in cases of infringement of the law in the workplace. This means that the conditions for proof of liability for damages no longer shall be wilfully or negligently violation. Nor shall financial loss be a condition. This means that damages may be awarded for infringement of the right to equal treatment.

The purpose of this provision is to sharpen the employer's surveillance duty regarding equal treatment for women and men while making the enforcement of the provision more effective.

The Gender Equality Board of Appeals and Collective Agreements

The powers of the Gender Equality Board of Appeals have been limited in relation to collective agreements. The background for this lies in the Norwegian legislation's special regulations on the validity, interpretation and existence of collective agreements, since these cases are handled by the Labour Disputes Court of Norway. To strengthen the possibility of a hearing on whether or not a collective agreement is in conflict with the Gender Equality Act, the Gender Equality Board of Appeals is now given the competence to give a statement on this question, regardless of whether or not the question is linked to a concrete employment situation. The Board's statement is not binding on the Labour Disputes Court and failure to follow up shall not be punishable or impose a claim for damages. Nonetheless, the Board's statement may direct attention to collective agreements that grant insufficient consideration to the Gender Equality Act and may lead to the collective agreement partners bringing the agreement before the Labour Court for evaluation, in relation the Gender Equality Act. This change does not alter the Labour Court's special competence to "test the validity, interpretation and existence of collective agreements."

The reason for giving the Gender Equality Board of Appeals a general right to give a statement on whether collective agreements are in conflict with the Gender Equality Act is founded on the need for a more effective way of handling the principle of equal treatment in relation to collective agreements.

The Scope of the Act

There are no changes in the scope of the Gender Equality Act. This means that internal conditions in religious communities still are exempt from the scope of the Act. Aside from this,

the Gender Equality Act pertains to all areas of society (see § 2). The exception regarding religious communities is based on the constitutional right to freedom of religion. The exception to the Act regarding internal conditions in religious communities is limited only to cases closely tied to religious practices. Consequently, other activities performed under the auspices of religious communities, such as the management of schools and hospitals, are fully subject to the regulations of the Gender Equality Act.

The exception regarding religious communities also pertains to the Norwegian State Church, as this is regarded as a religious community like any other. To what extent the exception regarding religious communities still should apply to the Norwegian State Church has been a subject of debate for the last few years. The question has also been discussed during the process of amending the law. The reason no proposal for change was entertained here is related to the fact that principles of equal treatment are integrated in the Church's own statutes and the Church has been progressive in its gender equality efforts. The number of women pastors in the Norwegian State Church is steadily increasing and it is presumed that this number will steadily continue to increase in the years to come, as more and more women are being educated for the ministry.

Article 2c. National Bodies dealing with Gender Equality

The Ministry of Children and Family Affairs is the ministry responsible for gender equality issues in Norway.

The Gender Equality Ombudsman and the Gender Equality Board of Appeals enforce the Gender Equality Act. One of the most important aspects of the Act is the establishment of an Ombudsman as a specific and independent control body to ensure compliance. The existence of a body that deals with complaints on gender discrimination free of charge makes it easier for the public to file such complaints.

The number of complaints received by the Ombudsman has steadily increased since the mid-1990s. This trend continued in 2001 as the Ombudsman registered a total of 337 cases, compared to 266 cases in 2000. In addition to the written cases, the Ombudsman gives extensive legal counselling based on telephone inquiries, of which there were 525 in 2001. This is an increase from 2000, when the Ombudsman responded to 417 telephone inquiries.

Cases related to discrimination in working life continue to dominate. In 2001 a total of 80 cases were related to issues of recruitment, advertised job vacancies or equal pay. Questions related to pregnancy paid parental leave or different ways of living together were the themes in 48 of the cases. The remaining cases were related to a broad range of subjects.

In 34% of the cases reported in 2001, the Gender Equality Ombudsman concluded that a violation of the Act had occurred. In 37% of the cases, the conclusion of the Ombudsman was the opposite. In 13% of the cases, the Ombudsman found questionable circumstances, but did not explicitly state that a violation of the Act had occurred. The remaining cases were closed without their factual aspects being debated and without reaching a conclusion. Most of these cases were closed because the parties involved came to an agreement before the case was concluded.

Women brought about 50% of the 2001 cases. Men brought 30% of the cases, whereas different organisations raised the remainder, either on behalf of individuals or because they asked

questions of a more general character. In some cases the Ombudsman also independently initiated investigation.

The Fifth Report, in Paragraphs 16 to 18, explains the reorganisation of the Gender Equality Board as the *Centre for Gender Equality*, a publicly financed institution with its own board of directors. The Centre has six employees. A major part of the work is to influence society at large as well as influence and monitor all policy-making in Norway. Promoting and mainstreaming equal opportunities into all areas of society is central to the work at the Centre for Equal Opportunity. In the last two years, it has published, among other things "The Gender Equality Barometer", which shows the development, year by year, of five important areas of power and influence: state and governance, local government, business, research and education, and working life.

Furthermore, NORAD (the Norwegian Agency for Development Co-operation) finances "FOKUS", a secretariat for the work of women's organisations related to questions of development co-operation and other international issues.

Article 2d. The Work for Gender Equality by Public Authorities

Since coming into effect in 1979, the Norwegian Gender Equality Act has contained a general demand that public authorities advance the work of equality in all areas of society. In the years between 1986-1990 and 1991-1994 two action plans were developed to advance gender equality in the Ministries' areas of responsibility. Since 1997 the governments (both Labour Party and Centre/Right Governments) have set up State Secretarial Committees for Gender Equality in order to strengthen the visibility and percussive force of gender equality considerations. The mandate of the State Secretarial Committee for 2002-2003 is specifically linked to the Norwegian chairmanship of the Nordic Council of Ministers and to the following up of the revised Gender Equality Act.

The revised Equality Act means a sharpening of the duty to take initiatives by public authorities, who in the coming period will have to work systematically and goal-oriented for the advancement of equality in their respective fields of responsibilities. The requirements for the taking of initiatives have also been expanded to be applicable to most enterprises in both the public and private sectors. With the exception of public authorities, the expanded demand of equality initiatives applies only to equality within the enterprise (personnel and wage policies). Enterprises are instructed to report on their equality work in their annual reports.

Since 2000 the Ministry of Children and Family Affairs has worked on a pilot project for building a gender and equality perspective into the budget proposition. In 2002 six or seven of the Ministries participate in this work. This work springs naturally from the integration strategy formulated in the 1980s and 1990s, but is also inspired by international Gender Budget/Women's Budget initiatives, for example, in South Africa and Australia. The work is anchored within the State Secretarial Committee for Gender Equality, and the Ministry of Children and Family Affairs is working to get all the Ministries to participate.

Important developmental work is also done at the local and regional levels. In many parts of the country, counties and municipalities have carried out or set in motion projects that aim to develop methods of integration at the local/regional level. Examples are changes in local government services to accommodate both genders, and those gender and equality perspectives are integrated into the municipal or municipal-county planning processes. Local centres of

information on gender equality contribute their expertise, and many Ministries contribute to financing.

In 2001 the Norwegian Central Bureau of Statistics published a report entitled "Women and Men in Norway 2000" which among other things contained a gender equality index that ran each and every one of Norway's 435 municipalities by degree of equality. The index is base upon data concerning investment in day-care, the number of women in the municipal leadership, the number of women between the ages of 20 and 39, the relative educational le of the women, their type of work and their income. The thinking is that the index can be use local gender equality work.

Article 2e

Reference is made to Article 2b and earlier reports.

Article 2f and 2g

These articles are covered in the more thematically detailed reporting under Articles 3 to 16

Article 3. On Gender Equality and Human Rights

The Status of the International Convention on Human Rights in Norwegian Law.
The Government will present before the Storting a proposal for implementing the Conventio on Children into Norwegian law during the first half of 2002.

Norway ratified the *Convention on Women* without reservation on May 21, 1981, and it cam into effect September 3rd of the same year. By having ratified the Convention, Norway is bound by international law to follow the propositions in the Convention and Norwegian law also presumed to be in accord with the Convention. On October 6, 1999, the fifty-fourth General Assembly of the UN adopted an optional protocol for the Convention on Women. T protocol establishes a competence allowing the Committee on the elimination of discriminat against women to receive and consider communications submitted by or on behalf of individuals or group of individuals under the jurisdiction of a state Party, claiming to be vict of a violation of any of the rights set forth in the Convention. The protocol also to a certain degree qualifies the Committee to conduct an inquiry into whether a state violates the rights that the Convention was set up to protect. Norway ratified the protocol in March 2002.

There is work in progress to implement the UN Women's Convention into Norwegian law. T work involves evaluating how the Women's Convention can best be implemented into Norwegian law. One method is to incorporate the Convention, which implies that the Convention will be applicable as Norwegian law. Another method would be to refer to the Convention in existing regulations and by this make it visible in Norwegian law. A third method might be combining these alternatives, thereby incorporating the Convention, but in addition, make it visible in relevant regulations. The work of implementing the Women's Convention into Norwegian law will be completed in the course of 2003.

Women of immigrant background often experience discrimination on the basis of gender, background and religion. At the same time, part of the minority group's traditions come into conflict with the individual rights of women; for example, with the lack of possibility for

accepting paid work, or in other ways to have the same choices that men of the same minority group, or ethnically Norwegian women, have. Norwegian authorities are paying attention to these problems.

A committee has also been appointed to advance proposals on how to formulate a law forbidding ethnic discrimination. This committee also has the task of elucidating how the *Convention on Racial Discrimination* can be implemented into Norwegian law. The committee is to deliver its findings to the Ministry of Local Government and Regional Development by June 15, 2002. The Ministry will - in close collaboration with the Ministry of Justice and the Ministry of Foreign Affairs, the Ministry of Children and Family Affairs - have responsibility for tabling a proposal to Parliament for a law against ethnic discrimination. The pledge has been taken to put this proposal before Parliament in the course of 2003.

A new plan of action against racism and discrimination is also being worked on and shall be presented during the summer of 2002. This plan of action focuses on ethnic discrimination, and on racist violence and harassment. One area of concentration in the plan of action will be women of minority background. The gender perspective will be incorporated as an integrated part of the initiatives in the plan and will not be a separate area of concentration. The plan is to be applicable to discrimination not only against persons of immigrant background but also to persons whose background lies within national minority communities, and the Saami people.

The Immigration Act and its regulations of relevance for Human Rights and Gender Based Persecution

The requirements in the Women's Convention do not directly find expression in the current law pertaining to foreigners. The Immigration Act, §4, firmly maintains however that the law should be applied in accord with international regulations that Norway is committed to uphold in so far as these have the aim of strengthening the position of the foreigner. The Women's Convention presents such rules.

From many different perspectives it has been maintained that women who seek asylum in Norway are treated differently from male asylum seekers. The Immigration Act, which regulates the conditions for granting asylum, is gender neutral.

Norway has procedures for asylum seekers that should ensure that women and men have similar possibilities of being granted refugee status; among other things that all adult asylum seekers have to be registered as individuals. This implies that women who seek asylum together with a husband/partner are registered as independent asylum seekers. Women who seek asylum together with their husbands are interviewed separately. Furthermore, the interviewer must ascertain whether the woman has her own basis for seeking asylum. All the caseworkers that carry out such interviews receive basic training, such that among other facets of the case, they are to be aware of asylum seekers who indicate that they are afraid of gender-based persecution. Women who have been exposed to gender-related persecution are to be interviewed by women. This comes directly from the internal guidelines of the Norwegian Directorate of Immigration. The purpose is to secure the necessary confidence in the asylum seeker and to ascertain the basis upon which asylum is sought.

Furthermore the Directorate requires that a female translator be used in such circumstances if it is at all practical to do so. All information that comes out in the asylum application process is taken into account. This means that even if information about an asylum seeker or the fear of gender-based persecution have been held back, or emerged only late in the asylum seeking

process, for example, if information does not come out until after the interview or the decision by the Immigration Directorate, this will still be assigned weight. In cases like this it is important to be attentive to the fact that many women have great difficulty facing up to the subject of sexual violence. Nor is it uncommon for many women to hold their tongues about such attacks because they do not believe it is relevant to the assessment of their application for asylum.

In assessing whether a person risks persecution, the immigration authorities evaluate whether the person concerned risks persecution in the future. As a general rule, in order to get asylum it is decisive that the asylum seeker risks being persecuted upon return to the homeland. The assessment is based on the applicant's own explanation of the reasons for seeking refuge, together with the authorities' knowledge of conditions in the homeland. No demands are made upon the documentation of this explanation.

In Article 68 in the plan of action worked out during the special session of the UN General Assembly on the follow up to the Beijing Conference, what has come to be known as Beijing +5, the aim has been formulated that national authorities are to have a gender dimension in their immigration and asylum policies, including the assessment of admitted gender-based persecution and violence as a basis for asylum. Norway is fulfilling this goal. On the basis of guidelines that came into effect on January 15, 1998, it was declared that gender-based persecution, and persecution on the basis of sexual orientation can qualify as grounds for asylum in Norway. These guidelines, that elaborate the criteria for obtaining asylum in Norway, prepare the way for immigration authorities to accept more openly that gender-based persecution can qualify for awarding refugee status. Still however, it should be conditional that the criteria in the Refugee Convention of 1951 be fulfilled, among other things, that the reasons for the persecution stem from race, religion, nationality, membership in a special social group or political opinion.

When someone is persecuted on the basis of gender, this is called gender-based persecution. Both women and men can become victims of this type of persecution. One example is persecution on the basis of sexual orientation. Other examples are genital mutilation, bride burning, honour killing, forced marriage, forced prostitution, forced sterilisation, forced abortion, and trafficking. In St. Report. No. 17 (2000-2001) on asylum-seeking and asylum policy in Norway it is stated that the Government wants particular focus placed upon women who are under risk of gender-related persecution. This was supported unanimously by, the Parliament.

In relation to a proposal to provide authority for administrative regulation under §16 of the Immigration Act, the Government informed Stortinget about the status of gender-based persecution.

A legal committee has been set up to work out a new Immigration Act. Its mandate specifies that the aim of gender equality shall be included in the Immigration Act. The Immigration Act is gender neutral. The committee will nonetheless elucidate whether it is necessary to strengthen women's legal position in the area of immigration, for instance in relation to applications for asylum, or for residence determined on other bases.

International Co-operation

An important feature of Norwegian foreign policy is to promote and protect human rights on a global level. Both bilaterally and within the multilateral organisations, Norway has been working to promote the human rights of women as well.

In 2000 the Government adopted a national plan for the promotion of human rights. This plan was called "Focus on Dignity: A Plan of Action for Human Rights" (Report No. 21 to Stortinget, 1999-2000). The plan includes efforts to be undertaken on the international level; actions and initiatives to strengthen the human rights of women are among these. There is a follow-up mechanism within the plan, with annual reporting requirements. As is evident from the plan of action, women and the principle of non-discrimination based on sex or gender, is a specific focus in Norway's national as well as international efforts toward the realisation of the protection of human rights.

Norway is actively participating in efforts to ensure that a gendered human rights perspective is included in all resolutions and decisions that are adopted at the UN General Assembly, the UN Commission on Human Rights, the UN Commission on the Status of Women, as well as all the UN world conferences and special sessions. Norway has been on the Commission of Human Rights and the Commission on the Status of Women since the last CEDAW report.

Norway has continued to give priority to women's rights in development co-operation. Norway supports efforts to assist the co-operating countries to fulfil the commitments made with regard to women's human rights and gender equality. All the countries, with which Norway has a substantial development co-operation, have signed CEDAW.

The Ministry of Foreign Affairs and the Norwegian Agency for Development Co-operation (NORAD) are focussing on strengthening the objective of gender mainstreaming in all development co-operation work. The Strategy for Women and Gender Equality in Development Co-operation 1997 is valid until 2005. Women's rights are one of the five priority areas outlined in the strategy. An example of this is a plan of action against female genital mutilation (FGM) presently being developed by NORAD with support from the Ministry of Foreign Affairs.

Article 4

Article 4.1 On Special Measures for Advancing Gender Equality; Affirmative Action

Reference is made to the theme specific reports under Article 7 about political representation in the electoral organs; Article 10 on education, and Article 11 on working life. What is accounted for here are some general experiences with special measures to promote de facto equality, and in particular on the corpus of regulations and results when it comes to gender representation in governing boards, working groups, counsels and committees, etc. and in executive bodies in private enterprises.

Quota systems - the rights of preference for the under-represented gender - have been a much-discussed tool in gender equality work. The Norwegian Gender Equality Act is open to this, to the advantage of women - both radical and moderate quota criteria. Following a change in the law in 1995 the Act was also opened up to advantage men, but this is limited to working positions in the caring sector and the teaching of children. Only moderate, not radical, quota

systems have earlier been allowed in relation to initiatives in education, but after re-examination of the Gender Equality Act in the spring, this limitation was removed.

However, research into the results of such initiatives shows only small direct results from such schemes, both when it comes to concrete redistribution of educational places, and in the same way, when it comes to effects on recruitment and reallocation of jobs in working life. An additional point with regard to educational choices is that the results have often been short time as the number of the underrepresented sex frequently have fallen after some years have passed. It might appear that what is most effective for educational and working life is a longer-term view and better planning of equality work over time - possibly with a clear quantification of long-term goals of more balanced gender distribution.

On the other hand, when it comes to the distribution of positions that to a greater degree are perceived as implying a form of representation - not primarily a personal benefit as educational places and a certain job - the quota system of regulations has been less controversial and more effective in terms of its results.

The Gender Equality Act §21 (adopted in 1981) states that governing boards, counsels, committees, etc. appointed by a public body shall be composed of at least 40% of each gender. Where there is a committee composed of only two or three members, both genders should be represented. Equivalent regulations apply to deputy board members. Exceptions can however be made under such special circumstances as make it unreasonable to fulfil the demand. The issue must be placed before the Ministry of Children and Family Affairs in order to have a dispensation authorised. During 1999 and 2000 the proportion of women in such committees was on average 41%. There are however still systematic differences, depending upon the subject and mandate of the committee, and only 25% of the leaders were women (2000). *The Local Government Act* of September 25, 1992, §§36-38 also has analogous provisions on gender representation on committees that are elected by city- or municipal authorities, and the same applies to counties. Statistics are not available. There is a high degree of consent about the necessity of these law regulations in Norway today.

In relation to the revision of the Gender Equality Act (see Article 2b) there has been discussion about introducing gender quotas for executive bodies in private enterprises. The percentage of women on the executive boards of firms listed on the stock exchange in 2000 was 6.4%. A change in the Gender Equality Act has still however not been proposed. Instead, on March 7, 2002, the government passed a resolution aimed at rising the number of women in the executive bodies of the enterprises. The proposal contains a demand that there should be at least 40% of members of both genders in the executive boards of all public joint stock companies ("public companies limited by shares"), state enterprises, specially-legislated state corporations, and public/state limited companies.

On the other hand, the proposal does not include the smaller privately owned joint stock companies. The Government wants the rules not to include the private companies that have a more personal character (typically, family enterprises), where the need for direct ownership representation is more pronounced.

In relation to the public joint stock companies the Government wants to try to attain its goal before the end of 2005 through collaboration with employers' and labour organisations. If no results are forthcoming, a provision will be established that imposes a more even gender balance.

Article 4.2 Protection of Women's Reproductive Role

Reference is made to earlier reports that have to do with the statutes on work environment and regulations concerning leave-of-absence associated with childbirth. Further to Article 2b on changes in the Gender Equality Act, and 2c concerning working conditions/pregnancy - an area about which the Ombudsman gets many inquiries. The two most common reported problems are young women claiming that the employer prefer a male in attractive jobs, "because they do not get pregnant" and women reporting problems of keeping their positions in the working place while on leave-of-absence. As reorganisation, downsizing and outsourcing become more common, these problems may tend to grow.

Article 5

Article 5a Gender Roles

On Changing Attitudes
The great changes in the population's attitudes toward gender equality occurred in Norway between about 1980 and 1990. After 1990 an overwhelming majority - over 90% - answered positively to general attitudinal questions designed to show whether one is positive toward equality between the genders. There are generally somewhat more positive findings regarding the question that men and women should be treated equally in their working lives, than when the question is posed with reference to equality in home and family matters.

Gender equality is considered valuable at all class levels in the educational system. There is however a growing worry about the influence of a strong sexualised marketing, and about the influence of the entertainment industry, television and Internet. In these fields there are few national measures to counteract the influence of the gender stereotypes that are being communicated. In particular, the worries are engendered about children and youth.

An interdisciplinary part-time curriculum has been developed in teaching education about "Needs and Cravings: New Perspectives on Consumer Knowledge", based on distant learning, as for example, placing emphasis on the counter effect of unhealthy ideals promoted through advertising. A module of this programme includes way of life, gender roles, and conceptions about the ideal body. The study programme is built on the "Plan for Continuing Education in Consumer Knowledge" from 2000.

The Marketing Act
The Marketing Act, §1, second clause, regulates gender-discriminating advertising. The Consumer Ombudsman is enforcing the law. The paragraph is aimed at advertisements that utilise the bodies of persons of one gender that tend to give an offensive or derogatory evaluation of a woman or a man, or that in another manner is in conflict with the principle of equal value between genders.

It will be illegal utilisation in the sense of the Act when the body is made central in the advertisement, for example because it is posed in an unnatural manner in relation to the natural use of the product. The paragraph is aimed at advertisements where the body is used to draw attention to the marketing attempt in a way serves to weaken the general value of the human being.

In addition to this, advertisements that attribute unfortunate qualities to one gender will be targeted; for example, the assertion that women are impracticable or men are unscrupulous. In particular, representations that are targeted are those that explicitly say something about the relationship between woman and man, and go on to ascribe to one gender invidious qualities. Examples of such advertisements are presentations in which the man is superior, responsible for the family's economy, etc., with the woman put into dependent, subordinate roles.

A description of existing gender roles will not in itself come into conflict with the proposition. But it can come into conflict with the value of equality where presentations of gender role patterns are underlined in a particularly lopsided or derogatory manner.

It can often be the case that it is the sum of individual advertisements that from the gender equality perspective are alarming. It would have been desirable for example if, over time, the advertisement portrayed a more equal division of men and women doing housework. But the evaluation according to §1, second clause only applies to the individual announcement or advertising campaign.

In enforcing the paragraph emphasis is placed on giving priority to cases where young models are used in sexualised advertising that is aimed at children and youth.

The Consumer Ombudsman's Office received 38 complaints about gender discriminatory advertising in 2001, 37 in 2000, 64 in 1999, 81 in 1998, and 95 in 1997.

Article 5b. Women and Men's Common Responsibility for Children and Family

Policy in relation to family life in recent years has had a strong focus on the role of fathers, and the importance of strengthening this for the good of the children. Against this background changes have occurred, both in terms of the regulation concerning leave-of-absence for childbirth, and in the regulations that apply to divorced families with children, as is seen is the report under Article 11.2b and 16.1c.

Article 6. On Violence, Traffic in Women, and Prostitution

Work against violence and sexual assault against women is also reported under this article.

Violence and Sexual Assault against Women

According to investigations, Norwegian women are subjected to violence or threats of violence more frequently than men -6% in the course of last year, as opposed to 5% for men- ("Investigation of Living Conditions" 1997). The past fifteen years' development shows a certain increase in the numbers of both genders subjected to violence. What have particularly increased are young women reporting violence and threats.

The most conspicuous gender difference however lies in the fact that while only 14% of the incidents of violence that men are subjected to occurred in the home, the proportion of women subjected to incidents of violence in the home was 42%. Furthermore it is expected that such investigations of violence in the private sphere still suffer to a certain degree from under-reporting. There are also somewhat more women than men who experience violence or threats of violence in relation to work. It appears that this can be correlated with the great number of women who work in the health- and caring sector.

Organisations involved in assisting women exposed to violence, feel that Norway lacks a throughout mapping of the extent of violence and sexual assaults against women.

There are a good 50 shelters for women in Norway. More than 2,500 women seek out these shelters every year. This number has been somewhat stable in recent years. In the shelters in the major cities a predominant and growing number of the inhabitants are women of immigrant background. An important reason for this is without doubt the fact that these women have smaller social networks beyond the family and therefore fewer alternatives in crises than do ethnic Norwegian women.

The number reported rapes in 1999 were 467, and this number is rising. Only 6.6% of these reports resulted in court convictions. A report to the Director of Public Prosecutions (2000) shows that 80% of the reports are dismissed, and this percentage is increasing.

Legislation

Penal code regulations concerning sexual violations were changed on a number of points on August 11, 2000, in Act No.76. Among other things, the changes pertained to the criminalisation of gross negligent rape. This means that a person is seriously to blame for not understanding that the aggrieved person did not want intercourse, and can be convicted of gross negligent rape. The maximum sentence for gross negligent rape is five years, but is being raised to eight years in more aggravated cases.

At the same time, an expansion of the rape concept has been inserted, such that all forms of threatening behaviour with the aim of obtaining sexual intercourse will be construed as rape. The same applies to sexual intercourse with someone who is unconscious or for other reasons is unable to resist the act, for example due to intoxication.

In addition the minimal punishment for wilful rape is increased from one to two years.

The area of the law's maximum punishment (up to 21 years imprisonment) was also expanded to include gang rape and rape committed in a particularly painful or mortifying manner. In addition, the area of maximum punishment for sexual attacks against children was increased, in so far as assaults committed by several in a group shall be deemed aggravated cases.

Changes to the law further entail that it is forbidden to purchase sexual services from persons under the age of 18; compared to earlier the age of 16 which in general is the age of consent. The prostitute can still not be prosecuted.

The prohibition of child pornography is sharpened in so far as it is now punishable to view child-pornographic material by payment via the Internet. In addition, whoever entices a person under the age of 18 to allow him/herself to be photographed as a link in commercial presentations of films or pictures with sexual contents can be prosecuted. This also applies to the photographer. Pictures that can be construed as soft pornography are included within this prohibition.

By means of Statute No. 50, July 1, 1994, a new §222a in the Criminal Procedures Act was ratified concerning restraining orders that are not an integral part of the legal punishment of the crime. The aim of this proposition is to increase the security of victims of violence, threats, harassment, etc. A restraining order means that a person is forbidden to be in a specified place, or pursue, visit or in any other way contact a second person. By means of Statute No. 7, March

2, 2001, changes were made to the Criminal Procedure Act, §342, which among other things sets punishment for breaking Criminal Procedure Act §222a. The limits of the punishment were increased to include arrest and imprisonment for violating a restraining order. The alternative of paying a fine was initiated to make possible an option for less serious transgressions and thereby secure a more rapid reaction. Attempts to contravene restraining orders, together with all activities associated with this, have been made punishable by law.

On October 15, 2001, the Ministry of Justice sent out for comment a proposal to change Criminal Procedure Act §222a. In order to avoid different applications of the proposition concerning restraining orders, the Ministry of Justice chose to make §222a more precise on several points.

By way of background to the statements and input in relation to the hearing on this proposal, the Ministry of Justice wants to assess whether there ought to be substantive changes made both to the circumstances and regulations concerning the way restraining order cases are handled. One central question is about whether an expressed rule ought to be introduced regarding restraining orders that concern cohabiting partners' common home.

For a long time Norwegian authorities have been concerned with improving the position of the victims of criminality. Changes in the law have been ratified, and other initiatives have been carried out with the aim of reaching this goal. Recently questions have come up about the aggrieved person's position in relation to criminal procedure under Norwegian law. This is now under consideration. It will focus upon the position of the victim in criminal procedure that has to do with violence- and sexual offences. To the extent that this elucidation concludes that there is a need for changes to the Norwegian Criminal Procedures Act, it calls for concrete proposals for making changes to the law.

In order to defend an alleged victim of a sexual crime from libel action until the matter of the assault is settled, the court is authorised to delay libel action in the expectation of a settlement of the criminal case.

Action Plan against Violence in the Home and the Commission on Violence against Women
In February 2000 the Norwegian government launched a plan of action against domestic violence. An interdepartmental group, which is chaired by the Ministry of Justice and Police, with participants from the Ministry of Children and Family Affairs, and the Ministry of Health and Social Affairs, was established. The group is responsible both for co-ordinating action on domestic violence and violence against women in general, and for implementing the activities from the plan of action. The plan consists of a wide range of activities to reduce domestic violence and to improve services to victims.

In August 2001, the Government reorganised this work and established a Commission on Violence against Women. The Commission is going to submit its final report in September 2003. According to the terms of reference it has from the Government, the Commission's final report will contain a summary of issues relating to violence against women, proposals concerning the legal system, social services, women's shelters, and healthcare. In addition the Commission is to discuss questions concerning children as witnesses to violence.

Initiatives included in the plan of action are, among others, projects for a better local co-operation between public services and voluntary organisations, the building up of skills for groups of professionals who meet the victims of violence in the course of their work, help and

treatment for the offenders to prevent recurrences, support for a central skills centre for work with the victims of violence, security warnings for victims of violence and public support for research on violence against women. All these initiatives are to be followed up by the Commission.

Initiatives against Trafficking in Women and Prostitution

In recent years public life in Norway has been concerned in a major way with prostitution in Finnmark in northern Norway, and the question about whether it is organised, from the Russian or the Norwegian side of the border. With more open borders between Norway and Russia in recent years Norwegian intercourse with Russia has increased. At the same time there are problems associated with this new openness, among them, prostitution, and the criminality that follows in prostitution's wake. A significant contribution has been made in the local areas to uncovering illegalities in relation to prostitution.

It is unlawful to rent out rooms, apartments, or other housing for the purposes of prostitution. The investigative and surveying activities of the police in this connection generally reveal an actual co-operation between Russian and Norwegian backers, as a cover for organised crime, including the traffic in women. There is co-operation between the Norwegian and Russian authorities, and border checks have been made more comprehensive in order to prevent prostitution.

In 2000 the Oslo Police District undertook a pilot investigation to uncover trafficking in women in Oslo. Although it was difficult to find completely convincing proof, the survey indicated that there is evidence of traffic in women with the aim of prostitution in Norway's capital.

The penal code's provisions on sexual criminality have been revised, and new provisions came into effect in August 2000. A new provision has been undertaken that makes it a punishable offence to buy sexual services from persons between the ages of 16 and 18, even though those over 16 are above the age of consent. Purchasing sexual favours from persons under the age of 16 is covered in other provisions of the statute on sexual criminality, and is, as before, unlawful.

The question of the general criminalisation of the buying and selling of what are called sexual services has been discussed, among other things, in light of the experiences obtained up to the present in Sweden where there is a prohibition against buying sexual services. Up to the present the Government has not found it sufficiently likely that such a law would yield appreciable returns in either the struggle against prostitution or the trade in human beings.

The Norwegian Confederation of Trade Unions, LO, has developed ethical guidelines that will apply to the representatives and employees of this organisation who represent it abroad. According to these guidelines the purchase of sexual services should not occur.

There is inter-departmental work on the formation of a plan of action against trafficking in women. The plan is expected to be ready in the course of the second half of 2002.

Article 6 in the Convention on Women could be directly relevant to foreigners seeking to stay in Norway. It would be a breach of Article 6 to send a woman back to a country where she would be used as a prostitute or a victim of the trade in human beings. Up to the present however, there has been very little practical experience of cases involving foreigners where a

woman indicates fear of becoming a victim of the trade in human beings or of forced prostitution.

In relation to the UN's work on a convention against Trans-nationally organised criminality, a protocol has been worked out on the trade in human beings, particularly women and children. Norway signed the protocol in December 2000.

PART II

Article 7 Political Participation

Article 7a Elections and Elected Bodies

Previously the voting attendance of women was lower than that of men. Gradually this gender disparity diminished, and during the parliamentary elections in 1985 women and men's participation became equal. During the elections in 1997, women's participation was higher than that of men. In addition, a remarkably big difference in numbers arose between young women and young men. While 70% of the women in the 18- to 21-year-old age group voted, only 50% of men in the same age group did. Participation in the age groups above age 30 was fairly equal.

During the 1970s women became an important group in elected political assemblies as well.

The use of quotas by political parties was an important factor in this development. This came about through the use of different quota systems. Most of the parties have gradually adopted rules governing the composition of internal party organs and for the party's representation in public office. The principal rule among these parties is that women and men shall each be represented by at least 40%. The Elections Act does not contain any stipulation as to gender representation. Parties without quota regulations significantly reduce the overall percentage of women in political assemblies.

The present government coalition consists of the Conservative, the Christian-Democratic and the Liberal Parties. The Government consists of 8 women and 11 men, i.e. 42.1% women. Female representation in the Storting is higher than in municipal councils. After the election in 1977, female representation in the Storting rose to 24% After the election in 1993, female representation rose to 39.4%, while as a result of the 2001 election, representation is at 37%.

Before the election in 1981, only 12% of the ministers in Government were women. Since 1986, however, all Norwegian Governments have had more than 40% female representation.

Women Represented in Government and in the Storting from 1985 to 2001. In Percentages

	1985	1990	1994	1997	2001
Government	26	44	42	47.9	42.1
The Storting	34	36	39.4	36.4	337

After the municipal and county government elections in 1999, female representation on municipal councils was 34.1%, on county councils, 41.9%. This is an increase of 1.4% and 0.7% respectively, compared to the previous elections in 1995.

The minimum objective of 40% female representation on municipal councils has not been reached. Many local governments have a low percentage of women in politics. The highest elected political office in Norwegian municipal councils is that of Chief Councillor or Mayor. Only 15% of these are women (2000). During all of the latest local government elections, campaigns were conducted, financed by public funds, to get the voters elect women to municipal leadership.

The Saami Parliament (Sametinget)

The Saami Parliament is the publicly elected body of the national minority Saami people. Established in 1989, Sametinget has a skewed gender composition, and there are steadily fewer women elected.

Female representation has decreased from 33.3% in 1989 to 18% at present. In connection with the objective of arranging for parents of small children to be able to participate in Saami political life, the Sameting has practised a flexible arrangement whereby the representatives have had the opportunity to bring their own childcare person and have this expense covered. Beyond this, the Sameting has made no special arrangements to ensure the representation of both sexes.

On June 3, 1999, the Sameting adopted its gender equality plan. This was followed up in May of 2001 by a separate gender equality policy report to the Ting.

The Sameting plenary session raises a big question as to the fact that the percentage of women in the Sameting is decreasing, while at the same time the Sameting's position and importance in society is rising. With reference to the low female representation in the Sameting and to the nomination process in 2001, the election committee had decided to initiate its own research program in the field of gender equality with a concentration on women in Saami society, with elections as a special focus.

Immigrants and Election Participation

In the 1999 local elections, immigrants (foreign citizens and Norwegian citizens of foreign background) had a collective voter participation rate of 43%. Immigrant women had a five- percent higher rate of voter participation than men did. While the difference in voter participation between women and men among western immigrants is high (eight percentage points), the difference among non-western immigrants is negligible - and moreover, the opposite: men had a slightly higher participation rate than women. There is a marked difference between the participation rates of western immigrant women (62%) and non-western immigrant women (37%).

The Consequences of Women's Participation in Politics

Research shows that women and men to a certain degree have systematic differences when it comes to priorities and political value choices. Women often represent traditional "women's issues" in politics, but there has been an increasing tendency for women to hold positions in the politics of business and finance as well.

Revision of the Election Act

Broadly viewed, today's Municipal Elections Act is as it was designed 100 years ago. There is a great need for revision. A committee on election law has examined the regulations and has delivered a recommendation with a number of suggestions for changes. Among other things there is a suggestion

to increase the voters' influence in the choice of individual candidates in all elections. The committee has been criticised for not presenting an analysis on the gender equality impact of this proposal. Research indicates the female representation to date has suffered from voters' direct influence on the choice of individual candidates.

Article 7b Public Positions

See Article 11b on leadership positions in the public sector.

Article 7c. The Organisations

Trade Union Organisations
The majority of Norway's trade union-organised members of the work force are women. Out of the total population (between 16-74 year) 42% of women and 41% of men are members of trade union organisations. A higher percentage of men than of women are members of business and professional organisations.

For many years the Confederation of Trade Unions (LO), as well as the other trade unions of some seize, have worked systematically to ensure that the proportion of female officers is commensurate with the female proportion of the membership at large. A survey the LO undertook in 1997 shows a reasonably commensurate result. However, the survey also showed that women and men often hold different types of positions of trust. Men are often trade union leaders and shopfloor or local workplace leaders, while women are secretaries and information officers. There are now more women in LO and it's federated leadership positions. The Norwegian Confederation of Trade Unions has its first (2001) woman leader, and five, of the total of eight top leaders are women. There are also more women leaders and alternate leaders in the associated organisations.

Other Organisational Life
There is relatively little difference in men and women's membership in organisations. The difference in age is more apparent. In particular, women's membership in both political parties and in women's organisations is commonly approximately twice as high in the age groups above 45 years-of-age, as it is in the age groups below 45 years (Living Conditions Survey 1997). The current report on the power structure in Norway examines this question.

Article 8 Representation on the International Level

In 2000, 24% of the approximately 381 Norwegians employed by international organisations were women. In 1998 the number was 460, of which 34% were women. With regard to the Junior Professional Officers recruited to various UN organisations in 2000, 50 out of a total of 70 individuals were women.

The Ministry of Foreign Affairs employs approximately 1,200 people, 55% of whom are women. Women holding managerial positions constitute 24% of the total number of employees in 2001

compared to 26% in 1998. The Ministry is working actively to increase the number of women in managerial positions.

15 of Norway's 96 Foreign Service stations have a female head-of-station as Consul General or Ambassador. Three women hold ambassadorships in Europe.

Paragraph 21 of the Gender Equality Act, with its required 40% minimum representation by each gender, also applies to all official delegations appointed to international forums. We have no statist on de facto gender representation.

Article 9. Nationality

The Norwegian Nationality Act (1950) does not distinguish between men and women. Contracting marriage does not affect nationality.

Children automatically become Norwegian nationals at birth if the mother is Norwegian. The same applies if the father is Norwegian and the parents are married. In 1999 an amendment was made to make it very easy for a child to become Norwegian if the mother is foreign and the father Norwegi but the parents are not married.

PART III

Article 10. Education

All subsections are herein treated collectively.

The focus on equal opportunity between the sexes in teaching and education is a primary political goal in education. Since the 1970s, equal opportunity has been an integral part of the curriculum plan for education, in legislation regarding education and in various other resolutions and regulations governing this sector. Equal opportunity work applies to all areas of education on all levels.

Gender equality work has coincided with a greatly augmented level of education in the population at large. Simultaneously, a balance has been achieved between the sexes.

Highest Education for Women and Men. 1980 and 1998. In Percentages.

Level of Education

	Women		Men	
	1980	**1998**	**1980**	**1998**
Primary school level	47	26	41	21
Secondary school level	43	52	45	57
University and College level	10	22	14	23

Source: Central Statistics Bureau

At the end of 1998 and the beginning of 1999, the Ministry of Education and Research prepared a policy document. It was designed to direct the gender equality work the Ministry was undertaking in the education sector for the period 1999-2001. The document pointed to several areas where a concerted effort was necessary to improve the position of girls and women or to equalise the participation of women and men. The most important points were as follows:

- Improve girls and women's interest in mathematics, sciences and technology (including information technology).
- Non-traditional choices of education and occupation
- Gender equality in Primary and Secondary school education
- Women in the university and college sector
- Mapping of the extent of illiteracy among immigrant women and the further development of opportunities for these women

The list of priorities reflects that while the number of years spent in education shows greatly reduced differences between genders, work against gender traditional subject- and occupational choices has had far fewer results.

Basic Learning - Primary and Secondary school education – 6 to 19 year-olds.
The first ten years of school are universal with a limited choice of subjects. In the course of the last three years there are a great many choices of possible themes and theoretical levels of study. Everyone can graduate with a completed occupational training or an education preparatory to college or university. Apprenticeship agreements are included in this secondary education. The following table shows the percentage of girls in foundation courses in secondary education in 1997, 1998 and 1999. Seen in conjunction with a comparable table covering the years from 1980 to 1995 in Norway's Fifth Report, there is great stability in traditional choices along gender lines. The first three subject streams give access to further theoretical studies; the rest give access to occupational education.

Percentage of Girls in Secondary Studies, According to Streams of Study. In Percentages. (Autumn 1997, 1998, 1999, and spring 2001)

Stream of Study	1997	1998	1999	2001
Total:	49.8	49.3	48.7	48.5
General, Economics, Administration subjects	55.4	54.0	52.9	52.7
Music, Dance, Drama	67.7	69.1	73.0	74.6
Sports	38.6	40.5	37.1	34.5
Health and Social Studies	89.6	90.8	89.5	89.0
Environmental Studies	40.2	41.7	46.2	49.0
Design	81.5	81.3	81.8	84.7
Hotel and Industry	52.3	53.2	52.2	56.4
Construction	2.1	2.2	1.9	2.0
Technical Construction	9.7	9.7	8.7	6.3
Electrical	3.7	4.4	3.9	3.6
Mechanical	5.9	6.0	5.0	4.9
Chemistry and Processing	40.4	39.3	33.4	33.9
Woodworking	26.4	21.1	20.5	19.9
Media and Communication	-	-	-	49.7
Sales and Service	-	-	-	54.5

Source: LINDA-intake/KUF/The Learning Centre

As a result of this fact, the project "Conscious Educational Choices" was conducted from 1998 to 2000 in four of the country's counties. The project was started as an attempt to develop more gender independent education and occupational choices. In addition, there was a desire to find ways to encourage and take care of young people who made non-traditional choices. The goal was also to develop co-operation between school and working life in order to ensure that those who had chosen a non-traditional education would find a job in the occupation of their choice. The project was terminated at the end of 2000. The results so far are that the project has provided few changes. Boys are viewed as particularly difficult to influence in their choice of occupation, and this has led to a discussion on the extent to which they have been neglected in gender equality work.

Another three examples of efforts to influence occupational choice in a non-traditional direction are described below.

During the period from 1998 to 2001, the Ministry also has worked specifically with "Girls and Information Technology" and "Girls and Mathematics". This has been done on the basis of national and international research (TIMSS, among others) that indicates girls show less interest in these subjects than boys do. Three national "Ladies and Data" conferences were held in the period from 1996 to 2001. These information technology conferences were information and experience conferences directed toward female teachers. In this period, the Ministry also conducted project schools (primary schools and secondary schools) on the theme of "Girls and Information Technology" and "Girls and Mathematics".

The administrative leaders in all Norwegian schools are responsible for ascertaining that all equal opportunity work is integrated as one of the areas of priority of the school. The Ministry of Education and Research has published a handbook on the subject entitled "Handsome and Attractive (2001), which is a guide to equal opportunity work. This is an addition to the Ministry's extensive reference material but is unique in so far as it deals with a rather controversial subject matter, wherein opinions vary greatly, and of which teachers and school administrators often lack awareness. The handbook presents information about equal opportunity, examples of its implementation in different areas of learning and everyday subjects, seen from an equal opportunity perspective. Simultaneously, the handbook encourages decisive action and gives tangible examples of how equal opportunity work can be applied to different situations. The handbook is a tool for school administrators, teachers, students, apprentices, apprenticeship training programmes, students in teachers' colleges and parents/legal custodians. It is meant as a guideline for the implementation of gender equality work at primary, secondary and upper secondary levels.

"Project Data Pilot" engage students (data pilots) from different technological institutes to participate in motivational efforts at the secondary school level. The project takes place in four counties. At least 50% of the project pilots are girls. The measure is specifically directed toward female students. To begin with, the target group is students in the first-year class of secondary school, after which the focus is on students in the second and third years, who have chosen to concentrate on mathematics, physics and computer science. By helping students with questions, with understanding problems and problem-solving in mathematics, physics and computer science, the data pilots seek to increase the students' understanding of the significance of choosing to go more deeply into mathematics and physics with an eye to further educational and occupational opportunities.

In spite of an active public policy that for the last two decades has worked to make young people choose education and work independently of traditional gender stereotypes, it appears that the large majority make choices as traditionally as ever. But there seems to be a trend toward new occupations that are less gender-specific than older ones are. Media education, introduced as an elective in 2000, is an example, with approximately 50% representation for each gender. The tendency is still toward boys and girls being educated toward two different labour markets.

Colleges and Universities

The total number of female students enrolled at Norwegian colleges and universities is slightly below 60% (2001). Since 1996, the total percentage of women has increased insignificantly at universities, while the increase at state colleges has been approximately 4%. In art education, primary school teacher education, general education and health and health-related subjects, women constitute a great majority of the students. In law, dentistry and medicine, there is a slight predominance of female students. In fisheries, technology, engineering and civil engineering, women are still in a minority. Women comprise less than 40% of the students in mathematical sciences. This figure has been relatively stable since 1996. The percentage of female students in business administration has increased from 33.6% in 1996 to 39.3% in 2000. Civil engineering has seen a negative development with 18.8% female students in 1996 and 16.6% in 2000.

At entrance to higher education, extra academic points may be given to applicants who will be clearly under-represented among the students or professionals in their chosen field. As of January 1, 2002, female applicants will be granted extra academic points at entry into college education in agricultural studies, maritime subjects, together with entry into several courses of study in civil engineering, and also in certain computer science programmes.

The Universities

Although women today make up a large percentage of the total number of college and university students, and although they are in the majority in many areas of education, women represented only 35% of the total number of doctoral degrees at universities and colleges in 2000. In 1996 they comprised 34 % and in 1992, 21%. Most female doctorates can be found in the fields of medicine and human services, the fewest in the field of technology. In the period from 1993 to 2000, there was an increase in the number of women doctoral candidates in most fields. The fields of agricultural science and veterinary medicine saw a decrease form 46% in 1993 to 38% in 2000. The field of technology has seen a decrease by 1%, from 15% in 1993 to 14% in 2000. To increase the number of female doctoral candidates, universities receive NOK 30,000 per female and NOK 20,000 per male doctoral student.

Development toward a better gender distribution in science positions is behind schedule. The educational institutions are therefore instructed to develop action plans for gender equality. These action plans must state goals for gender distribution and efforts to reach the goals that have been set.

To improve recruitment to top positions, post-doctoral positions have been established at colleges and universities. The proportion of women increased from 34% in 1994 to 45% in 1996. Between 1996 and 2000 the percentage of women in post-doctoral positions has been stable.

In their recruitment to leadership positions and to positions in advanced science, institutions are encouraged to work toward a more even gender balance. When filling positions in education and research, university and college legislation gives permission to announce the position exclusively to the under-represented gender. To improve the recruitment of women to high level positions in the sciences, the government, in 2001, established 40 new post-doctoral positions and 20 new professor

positions earmarked for women. To further increase the low percentage of female professors, the state budget for 2002 appropriated funds to establish another 10 professor positions earmarked for women.

In this connection, Norway was called before EFTA's surveillance body (ESA) in August 2000. It charged that earmarking was in conflict with the equal treatment directive and therefore in conflict with Norway's duties to the EØS-Agreement. In March of 2002, ESA decided to bring the case before the EFTA Court. Norway's view is that this initiative is not in conflict with the EØS-Agreement.

The Research Sector

The Ministry of Education and Research is responsible for the research sector, including the responsibility for gender equality in this sector. In the last few years, the Ministry has given increased priority to the work for gender equality in the research and development sector. Through the University Act, annual assignment of letters to governmental institutions and parliamentary reports more pressure has been exerted in this regard on the work for gender equality.

Women researchers are still grossly under-represented in many scientific fields, in higher positions, and in leadership roles in the sciences. In June 1999, the Government presented a White Paper on research and development to the Parliament. This report was up for debate in February 2000. Gender equality was one of the six items on the agenda. Parliament emphasised the importance of intensifying the work toward equal opportunity in the research sector. Priority was given to marine research, information and communication technology, medicine and health care and environmental and energy research. Gender equality was emphasised as a formative factor during the development of these four primary fields of research.

One of the challenges specified in the above White Paper concerns the information base for equality within the research sector. The National Research Council has been commissioned to draw up a report to be presented to the Ministry in the spring of 2002.

In 1998, the Research Council presented an Action Plan for Gender Equality in the research and development sector (1999-2003). A preliminary version of the plan was forwarded to the Government as input to its work on the 1999 White Paper.

By means of the Action Plan, the Research Council intends to give priority to gender equality work and to further sensitise all the actors in the sector. In addition, it will seek to focus, systematise and facilitate control of the efforts of those involved. Challenges vital to gender equality policy within the entire research and development sector have been brought to the fore; recommendations have been made to research policy authorities and research institutions. The Plan provides more specific guidelines for gender equality efforts made by the National Research Council's divisions into their respective spheres of responsibility.

From 1999 onward the Council has put a strong financial effort into post-doctoral scholarships. This is regarded as an important tool to recruit more women to top positions at universities. The divisions of Natural Sciences and of Technology have launched specific projects to recruit girls to these fields

of study. A project to recruit girls to Information Technology Sciences was started in 1998 and was extended in 1999.

There are two national networks for gender equality in research: "Network for Equal Opportunity Advisors" at the universities and "Network for Equality in the University and College Sector". The former network was founded in 1994 and consists of equal opportunity officers at four universities and the National Research Council. The second network was founded in 1998 at the sector's annual conference. This network, with an elected working committee, admits all that are either working with or interested in gender equality in the research and development area. These two networks actively promote gender equality in this sector. The annual conferences serve as arenas where members of the networks can meet.

Through the years several different measures have been implemented to promote gender equality in education and research. The Ministry of Education and Research implements some. The universities have also been active in this regard. In the late 1980s, the Norwegian University Council made an appeal to the four universities to adopt Action Plans for Gender Equality. For the past ten years the University and College sectors have implemented action plans with a variety of measures.

Very few of these measures have been evaluated. They are often small-scale, specific measures; some are ongoing. It is therefore difficult to evaluate their contribution to gender equality in the university and research sector.

In the spring of 2000, a group appointed by the Ministry of Education and Research delivered a report with proposals to establish indicators on research activities and quality of research. These indicators are intended to be a supplement to student-related information provided by the Norwegian Social Sciences Data Services. Gender, as a variable was included in several of the indicators.

Adult Education and Immigrant Women

People who immigrate to Norway receive free instruction in the Norwegian language. It has proven difficult to get women, particularly those with care-giving responsibilities, to participate in and at least complete their instruction in the Norwegian language. For years, the Ministry has asked the local authorities to take measures to assure that persons with caring responsibilities can participate in language classes. A few challenges still remain. One possibility would be to facilitate attendance by providing childcare, either at school or in the local kindergarten. As is evident from Article 11.2 c of this report, day-care is both costly and in some instances a scarce commodity in Norway. This problem has now been placed on the political agenda, as a gender equality problem and concrete efforts is now under discussion.

Article 11. Working Life

11.1a. The Right to Work

Key Figures of Women in Working Life 1998/1999. Percentages:

	Women	*Men*
Workforce - % of population 16-74 years	69.0	78.0
Unemployed - % of workforce	2.4	2.7
Average hours worked per week	30.3	38.3
Portion in fulltime work - % of those in workforce		
25 - 29 years of age	64.0	90.0
40 - 45 years of age	57.0	95.0
Under-employed -part-time workers with desire for		
Longer working hours - % of all part-timers	13.0	15.0
Public sector employees - % of those employed	45.0	19.0

Source: Women and Men in Norway 2000.

The above table illustrates some important features of women in employment in Norway, as compared to men. As the figures show, the percentage of those in employment is high - also in relation to countries to which we are customarily compared - and it is continually increasing. There was particularly a noticeable rise in the participation in the workforce by the mothers of small children in the 1990s. This growth stagnated somewhat at the close of the decade, but is now in all likelihood on the way up again.

Nevertheless women in Norway do a comparatively large amount of part-time work; and the labour market still remains largely gender-divided: among other things, almost half of employed women work in the public sector. The proportion of unemployed women is a little lower than it is for men; this has varied somewhat in recent years, but in relation to the rest of Europe, unemployment in Norway is remarkably low.

A comparatively large proportion of those in paid work is composed of employees; there are fewer running independent businesses in Norway than in other European countries. The lack of labour power needed to meet the challenges of the future, not least the ageing population is high on the agenda in Norway today.

The Norwegian Ministry of Trade and Industry (NHD) is concerned that getting women into trade and commercial life must be targeted in order to ensure that Norwegian business life is able to tackle its future challenges. This focus is divided in two: first, there must be more active work to improve the recruitment of women into executive positions within Norway's business community, and second, arrangements must be made so that women can establish their own enterprises in greater numbers than today.

NHD's business-oriented instruments are to a high degree channelled through SND, the Norwegian Fund for Commerce and Regional Development. SND is the central body of the authorities for financing and implementing initiatives in the fields of business and regional policy, and has as its major goal, working to increase the innovatory skills and to rise the level of competence in small and middle-sized firms.

The Ministry is working to ensure that SND will put its weight behind women's business-oriented interests and that the gender perspective shall be integrated into all SND's activities. In State Report No. 36 [2000-2001], 5.3.2 are explicitly stated: "SND has an important role to play when it comes to the building of networks and skills initiatives in relation to women all across the country. To contribute effectively to getting women participating to a greater degree in commercial life and the development of firms, it is essential that SND integrates the gender perspective in all its activities."

Immigrants and Employment

Women who have a non-western immigrant background have a lower rate of participation in working life than men work with equivalent backgrounds work, and also are more often out of work than are ethnically Norwegian women. In 2000, 54.7% of male immigrants were registered as employed, as opposed to 47.1% of women immigrants. For non-western immigrants, the numbers were approximately 50% for men and 40% for women. Equivalent numbers for the remaining population were 63.3% for men and 58.9% for women. People registered, as employees did not include those involved in independent business enterprises. Employment numbers in the population will therefore be higher than the number of those registered as job-takers.

There is a need for more knowledge about barriers to participation in the labour market for women of immigrant background. Consequently a research project will be set in motion to address this.

Article 11.1b Equal Opportunities in Working Life

When one discusses equal opportunities for women in working life, the focus is particularly on women and leadership and the great proportion of women who work part-time in Norway.

Part-time Employees

Through a change in the Work Environment Act, part-time employees' rights with reference to codetermination in the workplace strengthened in the course of the reporting period. Employees in firms over a certain size have a legally determined right to be represented in the company's executive bodies. Part time employees now count in the establishing of employees' rights of representation, together with the right to vote, and they are eligible as representatives.

Legally and contractually both part-time and fulltime employees are now in principle treated the same way, and work is currently underway for Norway to ratify the ILO convention on part-time work.

About one-fourth of all those who are employed work part-time. Either profession or gender does not equally divide part-time work. 10% of men are part-time workers, while the corresponding number for women is 43%. The part-time proportion is higher among women in all vocations and professions. Part-time work is most extensive in the public sector and in private service industries, and is least extensive in the industrial sector. In industry, only 10% work part-time, but of these, again, 90% are women.

Research shows that part-time employees do not have the same career development as fulltime employees, and are put out of work more frequently due to production changeovers in the firm. Part-timers frequently have an organisation of work time that involves evening work, as well as

work on Saturdays and Sundays. Part-time employment is also frequently associated with low wages. Compared to older women there is a tendency for young women to do less part-time.

It is worth noting that there are many part-time employees who would like to work more. The number of under-employed in 1998 was calculated to be 77,000, where three out of four were women. Since then the number of underemployed has gone down somewhat, but in the first instance this applies to men. It is in women-dominated work groups within the caring sector, hotel and restaurant services and in clerical and cleaning work that there is the greatest amount of part-time employment.

Women take part-time work, among other reasons, in order to be able to combine wage work with being the person with major responsibility for home and family. The trade unions are seriously concerned that fulltime work should be a right, and that part-time work should just be an possibility for those who wish this kind of work.

Women and Leadership

In the private sector (among those firms that hold membership in NHO, the Norwegian Confederation of Employers), only about every twentieth top leader is a woman. When one looks at the white-collar positions in the firms, about every fourth employee is a woman. In the job category "other leaders", that is, leadership positions embedded below the top executive positions, there are a few more women than among the top executives, but also here women constitute a proportion as small as one of every tenth leader. Recruiting positions are positions under the embedded leadership, positions that can lead to current internal promotions. At the same time there is nothing automatic about these promotions, but they can be considered as a way of giving a certain picture of the up-and-coming leaders. In these positions in 2000 every fifth employee was a woman. There is consequently a potential to increase the proportion of women among leaders in the private business sector, but there is still a long way to go to a situation approaching equal proportioning between men and women.

The Gender Equality Centre's equality barometer for 2001 shows that the proportion of women in leading positions in business life and appointments to boards has increased somewhat in recent years. The increase was greatest in posts for recruitment, with 3.3% and next highest among low level managers with 2.4%. If this development continues at the same speed, by 2009 one could have as many women as men in recruitment positions, and could by 2014, have an equal number of female and male low-level managers. When it comes to board members and top executives the development gives fewer reasons for optimism.

Women	***Year***	***Year***
(Given in %)	***2000***	***2001***
Top leaders in NHO sector	6	7
Recruitment positions in NHO sector	20	23
Lower management, all enterprises	16	18
Executive members,		
Stock market listed companies	6	6
Executive leaders, all enterprises	10	11

Source: Gender Equality Centre's barometer of positions 2001.

NHD (the Ministry of Trade and Industry) has financed a mapping of how Norway's 250 largest firms make use of women's skills in leadership and administration. The results show that 63 of

the firms neither have women in their leadership group nor in their administration. In 60 companies there is more than one woman in the leadership and the leading group. In the period 1998-2001, a further almost thirty million NOK was channelled into the programme "Women in Focus", whose area of priority was to have women established in leadership and as women entrepreneurs. Among other things, under "Women in Focus" a leadership candidate project was set in motion, where, in co-operation with BI, the Business College of Norway, a course was developed that aimed to give participants competence in executive and administrative work. Another project that should be mentioned is the "Lighthouse Beacon Project" which aims to develop good role models for women entrepreneurs and company leaders. The public sector is also important in this connection, as per Article 7b of the Convention. It is the ministries and the governmental services that carry out the daily work of the state. Great resources are administered, and important decisions taken. These decisions affect people both directly and indirectly. The majority of the administrative top in these organisations is men. Among the secretaries-general and directors-general in the ministries, and among the top leaders in outlying government services only about every fifth top leader is a woman. The proportion of women among leaders at lower levels however is greater.

1999	*Total*	*Women*	*Men*	*% Women*
Ministry Secretaries-General/Directors-Genera	1115	19	96	17
Other Ministry Leaders	700	258	442	37
Top Leaders, outlying gov't services	867	150	717	17
Remaining Leaders	9177	2371	6806	26

Source: AAD (from SSB's report: Women and Men in Norway 2000.

The public sector has worked with the question of women and leadership for a number of years, and now (01.01.2001) it is approaching 29% women in leadership positions, with the goal set several years ago being 30%. At the same time we see that among the very top leaders, the proportion is still well under 20%.

Article 11.1c. Education

This is found mainly in Article 10.

Leave-of-Absence for Education

With an amendment in the Act to Workers Protection and Working environment in 2001 employees gained the right to leave-of-absence for education, based among other things on employment time in the enterprise. In this connection leave-of-absence for birth and caring for family are also calculated on the basis of length of service. The focus is particularly on employees who have little formal education. LO (Norwegian Confederation of Trade Unions) is working toward a situation where it is possible to finance such leaves-of-absence, and also for employees without accumulated savings.

Article 11.1d. Equal Pay

Features of Development

On average, women's hourly pay is eighty percent of men's. This is applicable to the gross pre-deductions pay gap for all women and men in the labour market. The gross pay gap has been relatively stable over a longer time period.

The gross pay gap between women and men has been stable in a period when women have improved their job qualifications through increased education and stronger connection to the labour market. The explanations for this apparent paradox lie in the gender-divided labour market, among other things, in the fact that women work in increasing numbers in the public sector where increases in pay have in part been weaker than in the private sector. In addition it appears that the possibilities of advancement and promotion in a number of instances are less for women-dominated work groups.

During the 1990s there has been a closing of the gap in pay levels between women and men who work in the same firm and are permanent fulltime employees. But at the end of the decade there has been a stagnation and decline in the closing of the gap in some industries. The size of the differences in pay between women and men varies greatly from industry to industry. The insurance branch and service sector businesses are still marked by relatively large pay differences between women and men. The same thing applies to clerical workers in the retail sector.

Average Pay for Women Compared to Men in the Same Sector (Fulltime), %:

	1999	2000
Overall industry*	86.9	88.0
State sector	89.0	89.1
Schooling	93.9	94.0
Municipalities	88.0	87.6
- handling clients	75.0	75.4
- business management	90.5	90.3
Retailing	79.3	80.6
Hotel and Restaurant	92.9	93.0
Commercial- and savings banks	76.7	76.7

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*Workers and functionaries extending beyond NHO.
Source: Technical Calculations Committee

The table shows changes in hourly pay in different branches 1999-2000. Numbers are still not available for workers in industry since changes to the pay statistics. For 'overall industry' as the Central Statistics Bureau (Statistics Norway) defines it, there was a closing of the gap from 86.9% to 88% for women's average pay level proportional to men's between 1999 and 2000.

Research shows that there are small and diminishing differences between women and men working fulltime in the same type of position in the same businesses or branches of the economy. The differences appear to be somewhat greater in the private sector that in the public sector.

Means of Evening out Pay Differences
There is need for consecutive improvement of the statistical overview of pay differences between women and men at different levels in the labour market. In co-operation with partners in working life, the authorities have contributed to increasing information about, and improving the overview of, pay differences. This is ongoing work. Both employers' and employees' organisations together with Statistics Norway are working on this directing the reports of the Technical Calculations Committee on Pay Settlements, used as a joint reference in the wage negotiations.

Through participation in national and international projects we aim to strengthen knowledge about the relationship between the gender-divided labour market and pay differences between women and men. Among other things, this is a major theme in a Norwegian-led EU project on equal pay, "Towards Closing the Gender Pay Gap". This project also wants to place weight on a broad promotion of knowledge about the relationship between gender segregation and relative pay levels, based on international comparisons.

Improvements are gradually happening in the work under the central agreement between parties in working life to set up a guidance structure for local work on gender equality and equal pay. There are nonetheless great differences between the degree of attention paid and management of this guidance in different parts of working life. The strongest and most concrete guidance of local work on pay equality is found among the state-employed.

An evaluation of the Framework Agreement on Gender Equality (LO/NHO) concludes by saying that the local follow-up had not really been what the parties expected. The response out in the firms was uneven. One of the conclusions in the evaluation was that more accurate analyses must be developed on under which circumstance changes can be expected. Furthermore it seems clear that the central parties - and not least at the branch level - must themselves be duty bound to strengthen work on gender equality and equal pay as an important field for co-operation between the parties in working life (FAFO Report 2001:12).

The main agreement between LO and NHO was renegotiated in the autumn of 2001, and in this connection a new gender equality agreement was brought forward. This agreement contains propositions on gender equality and diversity in working life, the integration of gender equality work in the firms in different fields, the anchoring of gender equality work among the firms' top leadership, as well as possibilities for mapping out and analysing the state of gender equality in the enterprise. The agreement also points out the connection between work and family life, and the importance that fathers make use of their available leave-of-absence to a greater degree.

On several occasions NHO and LO have both initiated and contributed to the financing of investigations and research projects on mechanisms and means of dealing with the equal pay problematic.

Work Evaluation as a Means toward Equal Pay
Despite the initiatives mentioned above, developments in the direction of equality of pay have moved slowly. In relation to the changes in the Gender Equality Act, the Ministry of Children and Family Affairs has set in motion a large test project that has the goal of developing and testing a gender-neutral method of work evaluation. This method is also to be used by the Gender Equality Ombudsman in the enforcement of the Gender Equality Act's §5 on equal pay for work of equal value. Weight is being placed on developing a simple electronic, data-based

system that is easy to understand and put in practice, and which at the same time can be used in all sectors of working life.

The method is to be developed on the basis of practical experimentation in chosen enterprises, in both the public and private sectors. The project will run for three years from 2002. A total of fifteen enterprises have signed agreements to participate in the project, and a gender-neutral work evaluation will be carried out as a link within their pay- and personnel policies. If the experiment shows pay differences between women and men who carry out work of equal value, this will be analysed, and a local action plan will be developed for equal pay.

Article 11.1e. The Question of Pensions

A thorough presentation of Norway's National Social Security Social and the pension rights, is given in Norway's 5th periodic report to the CEDAW Committee.

Nevertheless, when today the question of pensions is on the gender equality agenda, this is due to the fact that private employers' pension regulations have to be given the same favourable tax conditions as formerly only applied to the public service pensions. Hence a need has arisen for a certain degree of regulation of these statutes as well. Beginning from the fiscal calendar year 2001 this also applied to rules governing income deductions in collective contribution-based pension systems.

In the performance-based (length-of-service) systems, there are different rates of premium charges for women and men, in order to secure for both genders equally large annual benefits. Annual pensions under these statutes generally consist of a definite percentage of one's pay, and here the pension is independent of gender. In the contribution-based systems, the enterprise normally determines how large a portion of the salary/wages will be paid out under the provisions of the pension statutes. Higher contributions can be paid (contribution premiums) for women than for men, and this can provide the basis for making the same annual old-age pension payments to both genders. The size of the annual pension is not however regulated any more closely than this. Thus, in contribution-based systems, the focus is on the payments into the fund. The questions of equal treatment, proportionality and neutrality in relation to gender have therefore received a new dimension arising from the legal regulations concerning contribution-based pension systems.

An official committee was appointed on December 8, 2000, to go through the methods for the determination of insurance premiums pertaining to life insurance. This review was to illuminate how members' sex did or could affect the monies paid into, or out of pension systems associated with working life, including the size of such payments.

The committee completed its work on August 31, 2001. In its findings the committee recommends that the regulation of the contribution-based systems be changed such that a requirement is inserted that the enterprise make higher contributions to women than to men, so that annual pension, in terms of calculation, is independent of the participant's gender. The findings were sent for hearings on October 10, 2001. The hearing reveals that the proposal is controversial from a gender equality perspective.

Article 11.2a. Discrimination on the Basis of Marital Status and Pregnancy

Regulations are explained in earlier reports. Reference is made to article 4.2 of this report.

Article 11.2b.

Since the last report, two improvements have been made to the regulations. First, an employee who has the responsibility of caring for children has the right to leave-of-absence to provide essential supervision of the child when the child is ill. This right to leave-of-absence extends until the child's twelfth birthday. Second, the rules are strengthened with regard to parents who have handicapped or chronically ill children who now have the right to take leave-of-absence until the child's eighteenth birthday (changes to the Work Environment Act 2001).

The Birth- and Adoption Allowance Scheme is of crucial significance for parents' ability to combine their working activities with care for small children. The scheme has undergone a series of changes and improvements in recent years. These developments have gone in the direction of an ever-increasing equality between mother and father.

As described in Point 132 of Norway's Fifth Report, the father's right to birth and adoption monies was earlier dependent upon the mother having earned the right to such remuneration. This was changed as of July 1, 2000. A father can now receive birth and adoption money based on his own eligibility, independent of the mother's work activity before the birth on the taking over of infant care. This change is important to the work of achieving greater equality in sharing the tasks of caring for children in the home. A condition on the father's right to birth or adoption support money is however that there must be a pre-existing need for this care. It is required that after birth the mother, or she who has taken over the infant care, has gone back to work, is taking officially recognised education, or due to sickness or injury is completely dependent on help to take care of the child.

The "paternity quota" was described in the Norwegian fifth report under item 131. Four weeks of the total leave-of-absence period are reserved for the father. Mandatory leave for fathers is an attempt to encourage fathers to participate more actively in the care for their children. This new rule was introduced because although fathers since 1977 had an opportunity to share the remainder of the allotted time, very few fathers (around 2 per cent) actually had any leave of absence before the paternity quota was instituted. While 80 per cent of fathers who are entitled to the paternity quota now do stay at home with the baby for four weeks, only 6-7 per cent (approximately 2000 a year) have a longer leave of absence. If the leave-of-absence period is to be extended, the extra time most probably will be reserved for the father due to gender equality considerations.

The Ministry of Children and Family Affairs is now revising the parental benefit scheme, including the adoption benefit scheme, the maternity allowance scheme, and the time account scheme. The purpose of the revision is a simplification of the schemes.

The propositions will be presented in the fall of 2002. If the propositions are implemented, the parental benefit scheme will be improved and simplified for parents. The law should be easier to understand, and at the same time, parents should have improved possibilities of freedom of choice.

In addition, improvements in the maternity allowance scheme are planned. Women in jobs where the environment imposes a risk to the well being of the foetus and for this reason have to leave the job when pregnant, may be entitled to maternity allowance if the employer is unable to find her suitable work elsewhere in the company. The maternity allowance is estimated in th

same manner as the parental benefit. It will be proposed that the maternity allowance also should include mothers who are self-employed.

Article 11.2c. Kindergartens/Day-care

The day-care or kindergarten scheme is the single most important element to allowing parents to combine family duties with job responsibilities. Moreover, Norway places great weight on the fact that day-care centres are in the best interest of the child. The number of day-care centres has grown steadily during the last two decades. However, full coverage of the demands of all families has not yet been achieved. There is only a small – and decreasing – demand for paid day-care in the home in Norway.

In 1998, 187,869 children were in day-care. This gives a percent margin of over 61% of children between the ages of one and five (school age in Norway is six). By the end of 2000, 7,231 more kindergarten places had become available, with a percent margin of 62%. For the age group three to five, the margin is 78%. There are grounds to believe that most parents who so desire - given that they can pay the current price for a place in day-care - get places for their children over the age of three. For children under three however, there are waiting lists in many municipalities.

The majority of children (64%) have fulltime places; that is, a weekly stay of 33 hours or more, but offers are also made for part-time and short time day-care. Approximately 40% of the day-care placed are covered by private day-care centres.

The state, the municipalities, and the parents finance day-care centres. In 1999, parental payments covered approximately 37% of the total costs, while the state and municipalities covered only 56%. For several years now, parents have been covering an increasing proportion of the costs. A full day's place now costs between 2000 and 4000 NOK per month. The prices in the public day care centres are often graduated according to income.

There is broad political agreement that the day-care centre facilities must be extended to cover all families wanting day-care for their children. There is an equally broad political agreement to reduce the proportion paid by parents. However, there is certain disagreement between the political parties on how these goals are to be achieved. The government wants to prioritise full coverage for all who wants to have day-care for their child, secondly to work for equal financing of all day-care centres – both private and those run by the municipalities, and thirdly to prioritise the reduction of prices. The strategy needs approval by Parliament and a debate on the issues connected to day-care facilities are expected to take place in Parliament both during the summer of 2002 and during the later debates on the 2003 budget.

The Government's aim toward full coverage of needs for day-care places is to achieve 70% coverage for one- to five-year-olds. Increased availability and lower prices however can create increased demand over the course of this plan. Norway has received criticism from OECD for lack of day-care facilities.

The Cash Benefit Scheme

The Cash Benefit Scheme is laid out in Points 134-137 in Norway's Fifth Report. Not least due to the considerable gender equality political debate caused by the introduction of this scheme, in connection with its introduction, a comprehensive evaluation of the scheme and its

consequences has been set in motion. The results of this evaluation were presented in a Stortingsmelding (Parliamentary Report) in the spring of 2001.

Before introducing the Cash Benefit Scheme in 1998, investigations were undertaken to find out how parents of children under the age of five organised their everyday life. A corresponding investigation was also carried out in the spring of 1999. Among other things the results show that the proportion of domestic labour by mothers with the youngest children of cash-benefits age was almost unchanged in 1999 compared to 1998. However, there had been an increase in mothers of small children who worked part-time, such that there were more part-time than fulltime working mothers with small children. On average the mothers reduced their working week by 1.5 hours between 1998 and 1999. Nothing was registered about changes in the fathers' work input outside the home.

The time is still too short to ascertain whether the scheme will have negative consequences in relation to the goal of gender equality in the division of domestic work around the home and at the job. The reform will continue to be followed up with additional research into its impact.

Article 12. Health

Report on women's health

A public report on the state of women's health in Norway was given out in January 1999. This maintains that above all the health of women in Norway has a positive character, and many women enjoy good conditions for good health. Norway offers well-equipped health centres, good birthing assistance, and good conditions for childcare. There is however a lack of knowledge about both specific gynaecological illnesses and on the connection between health and living conditions. At the same time, one finds that much important knowledge not being put to use, or not being stressed in health policy decisions and practices within the health and welfare services.

The report contains proposals for more than 50 different initiatives of various characters and contents. The special committee placed particular weight on proposals for creating structures and routines to secure the integration of gender perspectives in the development of skills, the decision-making processes, and in practical work. The thinking is that such strategies and initiatives will over time contribute to giving better health and welfare, certainly for women - but also for men.

The Ministry of Health and Social Affairs of that time prepared a strategy plan as a follow-up to the women's health report. The strategy plan has a five-year agenda, from 2001 to 2005.

The Ministry's follow-up places major emphasis upon building up the best possible conditions for ensuring that women and men are received and treated in a like manner within the health and welfare system. Emphasis is placed on the fact that health-promoting, illness-prevention; treatment and rehabilitation initiatives are adjusted to the expectations and life situation of the individual. In order to integrate women's and gender perspectives in plans and practices, it is necessary to strengthen basic knowledge and develop methods by which to realise existing knowledge. The challenge is to make the gender perspective comprehensible, relevant and useable.

The report further emphasises that violence and fear of violence represent major obstacles for women's health.

With reference to research it is proposed that a proviso be established that requires that both genders are included in the research contract, if a persuasive reason cannot be given for excluding persons of one gender, wherever clinical or basal-medicinal projects are to get public sector support. The plan also contains its own initiative for quality-assured treatment methods from a gender perspective.

In its proposal to a parliamentary report on public health work that is planned to be presented by the Ministry of Health and Social Affairs in the course of 2002, the public health portion of the report on "Women's Health in Norway" will be followed up. Focus will be placed on reproductive health, pregnancy and abortion, family planning, hygiene and lifestyle, including nutrition.

Physically Disabled Women

The Norwegian Government's Second Action Plan for Disabled People, 1994-1997, included a research project on disabled women: "Ordinary Women, Extraordinary Challenges". This research project is followed up by the Government's third action plan for disabled People, 1998-2002. The informational documents prepared and distributed about this work also deal with assistance and support services for victims of violence.

The Norwegian State Council on Disability gives special priority to women with disabilities.

Female genital mutilation

In 1995 the Storting adopted an Act relating to the prohibition of female genital mutilation and it has since been prohibited. Despite this fact stories about girls living in Norway being subjected to female genital mutilation have become known through media.

In December 2000 the Norwegian government presented a plan of action against female genital mutilation. The action plan has four principal aims. Firstly to prevent girls living in Norway from being exposed to genital mutilation, secondly to provide better help and support to those girls and women who are or have been exposed to genital mutilation, thirdly to establish co-operation with NGOs and individuals on the issue, and fourthly to contribute to end the practice of female genital mutilation internationally.

The implementation of the action plan started in 2001. The majority of the measures in the action plan will be implemented through a project called the OK Project (OK is an abbreviation of the Norwegian terms for knowledge and care). The aim is to develop, in close co-operation with different target groups and individual experts, information about laws, rights, where to seek guidance and advice and where to get medical help before marriage or childbirth. An important part of the project is to find ways of changing attitudes of those minority groups that still practice genital mutilation of females.

In May the government presented their 2002 strategy to combat female genital mutilation. This strategy aims at supplementing and further concretising the measures in the action plan. The action plan and the strategy 2002 illustrate the importance that the Government places in combating the practice of female genital mutilation.

Internationally the government will continue to focus on the issue in multilateral Contexts where human rights concerning women is on the agenda. In addition Norway will intensify the bilateral co-operation with those African governments that works against female genital

mutilation. The Norwegian government will also try to establish collaboration with non-governmental organisations in relevant countries working against female genital mutilation. Through Norwegian embassies in the relevant countries help and guidance to females that are brought from Norway and back to their countries of origin to be mutilated will be given.

Article 13a The right to family benefits

Reference is made to Norway's previous reports.

Article 13b The right to bank loans, mortgages and other forms of financial credit

Reference is made to Norway's previous reports.

Article 13c. The Right to Participate in Recreational Activities, Sport and Cultural Life in all Its Forms

The Ministry of Children and Family Affairs gives grants to voluntary children's and youth organisations, at both local and central level. These grants are governed by the regulations concerning grants to voluntary children and youth organisations of July 1, 1997, and comprise both operating grants and project support. Most grants are given in the form of untied operating grants. In order to be eligible for a grant, the organisation must have a democratic organisation that ensures that all members over the age of fifteen have an equal right to be elected to positions of trust in the organisation. In this connection the Ministry of Children and Family Affairs has, when dealing with appeals, rejected applications for support to organisations where women cannot be elected to the governing bodies of the organisation. When it comes to project support in 2001 the Ministry of Children and Family Affairs informed these organisations that national projects to promote equal rights for boys and girls will be given priority.

The Ministry of Children and Family Affairs supports measures and projects in the country's ten largest cities and towns through the grant scheme, "Investing in youth in larger urban communities". The aim of this scheme is to improve the living conditions of young people between the ages of 12 and 25, and the Ministry has given priority to supporting measures and projects that emphasise equality and equal opportunities for boys and girls.

Article 14. Women in Rural Areas

Less than 4 percent of the labour force work in the primary sector, mostly in agriculture – sometimes in combination with forestry, but also in fishery, aqua culture and in reindeer herding, the traditional trade for the Lapp. Of these industries, only the aquaculture is growing. The policy for keeping up the production in these areas is, however high on the political agenda in Norway, due to its importance for the districts and the scarcely populated areas. The agriculture sector is to a large extent based on family holdings, which often are based on one or both spouses having additional incomes.

Agriculture

A major part of the income in agriculture comes from state production subsidies; the size and composition of which are decided through the annual agriculture agreement. Subsidies are attributed to "holdings". The entitlement is independent of organisational structure and as well

one-person undertakings, companies and share holdings can be accorded recipients of subsidies. More men than women are owners of these holdings. According to a proposal for a new regulation, the definition of potential recipients will be changed away from ownership and more towards the capital investments and the work involved. The proposed change is regarded positive from the point of gender equality.

The de facto distribution of incomes relative to the number of man-labour year in agriculture was in 1997 (White paper nr.19 – Norwegian Agriculture and Food production) less for women compared to men; women had 23 percent of the income in agriculture and market gardens etc. and 25 percent of the man-labour years.

The allodial law is now gender neutral. According to the allodial law, girls and boys born later than 1965 have equal inheritance rights, while boys born earlier than 1965 will get preference. The medium age for new farmers was 38 years (1998). Men have traditionally dominated agriculture, and men are still in majority among new farm owners. Most of the properties are transferred within the family to a person with allodial rights. Since the 1970-ies women have increased their share of persons who have taken over farms due to allodial rights in all parts of the country. While women made up 17 percent of the total new property owners in the period 1990-94, they had increased their share to 22 percent for the period 1995 to 1999.

A committee to has recently been appointed to consider the allodial law. Among others, the committee shall consider the consequences of to-days law on women in the agriculture sector.

Women are recipients of approximately fifty percent of the subsidies from the state rural development funds aimed at initiating new businesses in the districts.

For several years, according the yearly White paper on the budget allocation, the government has been aiming to increase women's share in the traditionally male dominated forestry sector. Several measures have been implemented to encourage women and to improve their position in the forestry sector.

The Fishing and Aquaculture Industry

The Fishing and Aquaculture Industry is one of the major export industries of Norway. The industry is experiencing considerable growth and is expected to an even more important corner stone of the Norwegian economy in the future. Increasing gender equality and focus on women in the fishing industry is consequently a core issue considering Norwegian women's career opportunities in the future.

As part of its strategy to provide women the best possible career opportunity within the fishing industry, the Ministry of Fisheries has financed since its inception in 1991 the body that deals with women's issues within the fishing industry, "Fiskerinæringas kvinneutvalg". Special measures targeting women and general activities to promote gender equality in the fishing industry will in the future be furthered by the newly established Competence Centre for the Fishing Industry, Fiskerinæringas Kompetansesenter (established 1 January 2001), which is also financed by the Ministry of Fisheries.

In 2001 the research institute concluded a study into the role of women in aquaculture. This industry goes back to the 1970s and has been rapidly expanding ever since. The report showed that there is a downward trend with regard to the participation of women in the industry in the

1990s. In 2001, women only constituted approximately 13 per cent of those employed in the industry, and the women rate among managers (daily leaders) is at only 2 per cent.

As a consequence, the public authorities apply special measures targeting women by recruitment support for the setting up of enterprises, networking, and improving the representation of women in boards and committees within the industry. One positive feature is the rapid increase in the female ratio among those seeking an education within aquaculture (2001).

Reindeer herding

At national level reindeer herding is a small industry. Its importance is however significant in the rural districts populated by Lapps that is economically, as employment and from a cultural point of view. Reindeer herding has always been seen and accepted as an industry related to the Laps. Reindeer herding is therefore an important part of the material substance of the lappish culture.

The Reindeer Husbandry Act of 1978 and the Reindeer Husbandry Agreement regulate the industry. The position of women has traditionally been strong in reindeer herding. The woman have been the central person in the family, in organising of the husbandry of the family, the economy, education and upbringing of the children, clothing production and articles for everyday use, and in relation to ordinary housekeeping.

The position of women has however slowly been weakened. One reason for this change is the transition from subsistence economy towards monetary economy. In addition to this, the weaker position of women has also been related to the Act of 1978 and its use of the concept "holding". Before 1978 the reindeers belonged to the household. By the new Act the ownership became related to one person, normally the man in the family.

The reindeer Husbandry Act was amended in 1996. The Ministry of Agriculture acknowledged the need of strengthening the position of women in the reindeer herding by, amongst others, an equal position of spouses as managers of the holding. The reason behind this was the unambiguous experience that the introduction of "holding" in the Act of 1978 turned out to discriminate against women. The requirement of one responsible manager resulted in only 10 pct of women in this position. This is not in correspondence with the traditionally strong position of women among reindeer keepers. After this improvement, both spouses have now shared and equal rights and responsibilities of the holding, which they both own. In addition, the equally shared leadership of the holding is not dependent of the share of the spouse's ownership.

Even though more women became owners of a holding after the amendment of the Act of 1996, the husbands dominate as holding managers. The need for more concrete women- and family-friendly policies to be part of the policy on reindeer herding was recognised during the annual negotiations of the Reindeer Husbandry Agreement 2000/2001. As a result a new post responsible of women and family matters was established at the Reindeer Husbandry Office. One of the main goals for this new policy is to improve the position of women and the family in the industry of reindeer herding.

Article 15. Gender Equality in the Court System

Reference is made to earlier reports. Two elements of importance to the improvement of the position of women will be mentioned here.

Women in the Justice Sector
Even today, this sector of Norwegian society is strongly dominated by men. This applies not only to the police force, but also to the courts and the probation service. A better gender balance among employees would improve the sector as a whole - not least for women who come in contact with the court system either as offenders or as victims.

The proportion of women in the police- and rural police force / sheriff services amounted in 2001 to 12,5% while the proportion of women students at the Police Academy within that same year was 32%. Recruitment conditions are the same for women and men. The physical entry requirements are adapted to women. No special measures have been taken to increase the recruitment of women.

The proportion of women judges was in 2001 27%. This contrasts the fact that the proportion of women law students already 10 years earlier was as high as 50%.

During recent years work has been carried out to insure that agreements matching the Main Agreement §21 on gender equality can be undertaken within the various sectors of the justice system. Action plans have also been set up for gender equality. At the same time in line with the goal to have a better working place for employees of this sector it is also important that the police and court apparatus give good service to clients of both genders.

State compensation for victims
A new Act on compensation from the state for injuries caused by punishable acts was adopted by Parliament in July 2001. However, the arrangement of state compensation was established as far back as 1976. The new statute, like previous regulations, does not discriminate between the sexes. A majority of those given compensation are men, but women tend to receive higher compensation. In the course of the year 2000, 60% of the total amount of compensation was granted to women.

Article 16. Abolishing Discrimination of Women in all Matters concerning Marriage and Family Relations

Reference is made to earlier reports. The comments are on changes since last report.

Article 16.1.b The right to choose a spouse

Forced marriage
In December 1998 the former government presented the Norwegian plan of action against forced marriage. The action plan had two principal aims; to prevent young people from being exposed to forced marriage and to provide better help and support to young people who are, or have been exposed to forced marriage.

The most important measures under this plan were information, establishing a hotline and cooperation with the NGOs.

The government prepared different kinds of information materials about forced marriage aimed at various target groups, such as young people that have or can be exposed to the problem, to parents with minority background and employees in the public and private sectors. The information is presented in forms of brochures, article in magazines, video and leaflets. All is done in close collaboration with the target groups and NGOs that have the topic on their agenda.

Through the work of preparing the action plan, it became apparent that many people did not know where to turn for help, advice and guidance if they should get in touch with the problem in one way or another. Therefor the ministry of Children and Family Affairs has organized, through The Norwegian Red Cross, an advice service on questions relating to forced marriage in April 2000. This hotline has two main target groups; those who are exposed to forced marriage and bodies who need to know where their young people can go for further help. The hotline will be evaluated after 3 years of operation (2003).

Some non-governmental organizations (NGOs) and minority-groups have been involved in actions against forced marriage since long before the work on the action plan started. The minority groups have much better opportunities, compared with the community at large, to bring about and contribute to changes of attitude amongst their members. That is why the Norwegian government in this matter will emphasize the importance of dialog an close cooperation with the NGOs and minority groups to solve the problem of forced marriage.

The period of the action plan ran out in December 2001.

In April 2002 the new government presented their strategy on how they will continue to combat forced marriage. This is a program of 30 measures to be implemented within 2002. The main effort will be put into improving the competence on forced marriage within the public services to make them capable of helping these girls in an adequate way. The government will also intensify the work of information to target groups such as young people and parents with minority background. It is of main importance that the work continues, changing attitudes take time. This means that the government will continue their support to the NGOs and minority groups by allocated financial recourses. The government will also look at the legislation to see if changes can help preventing forced marriage.

To end the practice of forced marriage it is not enough that the countries in the western world put this issue on their agenda. The main challenge is to mobilise the governments of the migrants and refugees countries of origin. Without their co-operation the practice of forcing young people into marriage will continue as long as people migrates or has to flee their country. It is also important to support and encourage NGOs in these countries that work against forced marriage.

Article 16.1c Equal rights – divorce

Amendments in the The Marriage Act, §61 and §81
Changes to the Marriage Act, which will counteract unreasonable economic imbalances between spouses who divorce following a long marriage, have also been ratified during the period between reports.

In June 1998 Stortinget undertook to change the Marriage Act §61 on unusual exceptions to the division of property upon separation or divorce, and §81 on the duration of marriage contributions upon separation or divorce. These changes came into effect July 1, 1998.

These changes in the statute mean that for the first time compensation can be determined for one partner in the relationship while the other, whose accumulated pension- and security rights, can keep these rights separate, outside the division of common property, such that this spouse's entitlements are not curtailed. In addition, following a lengthy marriage, the prospective spousal contribution is, as a rule, now determined without a time limitation.

Article 16.1d

Child Maintenance

In Norway's fifth report " it is mentioned that regulations within the Children's Act on child maintenance was under review. New regulations have now been adopted, but not yet put into force. The body of regulations on maintenance for children is established in the Children's Act. According to plan, the new system will come into effect during autumn 2003.

The new regulations are based on principles other than those of the existing system. This new model, also called a cost model, takes its point of departure from how much it costs to give the child good support. The actual calculation of costs is based on the standard budget for consumer spending, developed by SIFO (State Institute for Consumer Research). In addition, there will be added a standard sum for housing and prospective childcare costs.

When the assembled maintenance cost is finally determined, this sum will be distributed among the parents. The amount distributed to each parent will be based upon the income of each parent. Those of the parents who live together with the child shall continue to cover their share by paying the actual expenses of daily caring for the child. The others parents shall pay in the form of monthly maintenance. Costs the parent not living with the child may have while spending time together with the child after access agreements, gives a reduction in the maintenance payment. This is to encourage the absent parent to spend time with his/her children even if they are living apart.